IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2773 OF 2006

Gourishankar G.Todi .. Petitioner.
Vs.
Mahesh Kanitlal Bhayani & Ors. .. Respondents.

Mr.S.D.Patil i/b Mr.S.R.Patil for the petitioner.

CORAM : D.B.BHOSALE, J.

DATED : 13TH SEPTEMBER, 2006

P.C.:

. Heard learned counsel for the petitioner.

2. By this writ petition, the petitioner has impugned the order dated 7.12.2005 by which the application filed by the respondent-plaintiff under Order 9 Rule 9 of the Code of Civil Procedure for setting aside dismissal of the suit vide order dated 14.3.2005 has been allowed. I perused both the orders dated 14.3.2005 and 7.12.2005. In my opinion, the order dated 7.12.2005 does not deserve interference by this Court in its writ jurisdiction under Article 227 of the Constitution of India inasmuch as by that order substantial justice has been done. The order impugned is just and proper. The writ petition is dismissed.

(D.B.Bhosale, J.)